

NEW UNITED STATES UTILITY PATENT APPLICATION TRANSMITTAL

Atty. Docket No.: 14098/1013

CERTIFICATE OF MAILING UNDER 37 CFR 1.10

I hereby certify that the paper (and any paper or fee referred to as being enclosed) is being deposited with the United States Postal Service using Express Mail to Addressee Service, under 37 C.F.R. Section 1.10, **Express Mail Label No. EL728734677US** on this date, **October 24, 2001**, postage prepaid, in an envelope addressed to Box: Patent Application, Commissioner for Patents, Washington, D.C. 20231.

Kathleen Williams

Name of Person Mailing Paper

Signature of Person Mailing Paper

Commissioner for Patents
Box Patent Application
Washington, D.C. 20231

Enclosed herewith is a new patent application of:

First Named Inventor (or application identifier): Edberg, Stephen C.

Title of Invention: "Detection of First Generation Environmental Sourced Microbes in an Environmentally-Derived Sample"

Type: ☐

New

☐

Continuation of:

☐

Continuation-in-Part of:

☒

Divisional of: 09/114,464

and includes the following papers:

1. ☒ Specification 13 pages (including specification, claims, abstract)/5 claims (1 independent)
2. ☒ Declaration/Power of Attorney is:
☒ attached ☐ executed ☒ unexecuted
☐ NOT included, but deferred under 37 C.F.R. § 1.53(f).
3. ☐ _____ Distinct sheets of ☐ Formal ☐ Informal Drawings
4. ☐ Preliminary Amendment.
5. ☐ Information Disclosure Statement
☐ Form 1449
☐ A copy of each cited prior art reference
6. ☐ Assignment with Recordation Cover Sheet.
7. ☐ Priority is hereby claimed under 35 U.S.C. § 119 based upon the following application(s):

| Country | Application Number | Date of Filing (day, month, year) |
|---------|--------------------|-----------------------------------|
| | | |

8. ☒ Priority is hereby claimed under 35 U.S.C. § 120 based upon the following application(s):

| Country | Application Number | Date of Filing (day, month, year) |
|---------|--------------------|-----------------------------------|
| US | 09/114,464 | 13 July 1998 |
| US | 08/465,010 | 5 June 1995 |

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| | | |
|----|------------|------------------|
| US | 08/323,064 | 14 October 1994 |
| US | 08/149,706 | 9 November 1993 |
| US | 07/824,893 | 22 January 1992 |
| US | 07/752,996 | 3 September 1991 |
| US | 07/349,653 | 10 May 1989 |
| US | 06/880,305 | 30 June 1986 |

9. ☐ Priority document(s).
10. ☒ Statement of Small Entity Status, Pursuant to 37 C.F.R. §1.27.
11. ☐ Microfiche Computer Program (Appendix).
12. ☐ Nucleotide and/or Amino Acid Sequence Submission.
☐ Computer Readable Copy.
☐ Paper Copy (identical to computer copy).
☐ Statement verifying identity of above copies.
13. ☒ Request for Non-Publication and Certification under 35 USC 122 (b)(2)(B)(i)
14. Calculation of Fees:

| FEES FOR | TOTAL CLAIMS | EXCESS CLAIMS | FEE | AMOUNT DUE |
|--|------------------|---------------|----------|-----------------|
| Basic Filing Fee (37 C.F.R. § 1.16(a)) | | | | \$740.00 |
| Total Claims in Excess of 20 (37 C.F.R. § 1.16(c)) | 5 | 0 | \$18.00 | 0 |
| Independent Claims in Excess of 3 (37 C.F.R. § 1.16(b)) | 1 | 0 | \$80.00 | 0 |
| Multiple Dependent Claims (37 C.F.R. § 1.16(d)) | No | | \$270.00 | 0 |
| Subtotal - Filing Fee Due | | | | \$740.00 |
| Reduction by 50%, if Small Entity (37 C.F.R. §§ 1.9, 1.27, 1.28) | MULTIPLY BY 0.50 | | | \$370.00 |
| TOTAL FILING FEE DUE | | | | \$370.00 |
| Assignment Recordation Fee (if applicable) (37 C.F.R. § 1.21(h)) | 0 | | \$40.00 | 0 |
| GRAND TOTAL DUE | | | | \$370.00 |

15. PAYMENT is:
☒ included in the amount of \$370.00 by our enclosed check. The Commissioner is hereby authorized to charge any deficiencies in the fees to Deposit Account 16-0085, Ref. 14098/1013.
☐ not included, but deferred under 37 C.F.R. § 1.53(f).
16. All correspondence for the attached application should be directed to:

Kathleen Williams
Customer Number 29933
17. Other: _____

NEW UNITED STATES UTILITY PATENT APPLICATION TRANSMITTAL

Atty. Docket No.: 14098/1013

Respectfully submitted,

Date: October 24, 2001

By: 

Name: Kathleen Williams

Registration No.: 34,380

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Edberg, Stephen C.
Serial No.: Not Yet Assigned
Filed: October 24, 2001
Entitled: "Detection of First Generation
Environmental Sourced Microbes in an
Environmentally-Derived Sample"

CERTIFICATE OF MAILING UNDER 37 CFR 1.10

I hereby certify that the paper (and any paper or fee referred to as being enclosed) is being deposited with the United States Postal Service using Express Mail to Addressee Service, under 37 C.F.R. Section 1.10, **Express Mail Label No. EL728734677US** on this date, **October 24, 2001**, postage prepaid, in an envelope addressed to Box: Patent Application, Commissioner for Patents, Washington, D.C. 20231.

Kathleen Williams

Name of Person Mailing Paper

Signature of Person Mailing Paper

Box: Patent Application
Commissioner for Patents
Washington, D.C. 20231

TRANSMITTAL LETTER

Enclosed for filing in the above-identified patent application, please find the following documents:

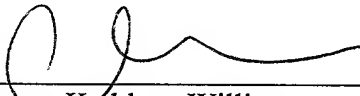
1. New Patent Application Transmittal;
2. Patent Application, (13 pages);
3. Declaration/Power of Attorney;
4. Request and Certification Under 35 U.S.C. 122(b)(2)(B)(I);
5. Check in the amount of \$ 370.00 for the requisite filing fee; and
6. Return Post Card.

Pursuant to 37 C.F.R. § 1.27, Applicant claims small entity status.

The Commissioner for Patents is hereby authorized to charge any additional fees or credit any overpayment in the total fees to Deposit Account No. 16-0085, Reference No. 14098/1013.
A duplicate of this transmittal letter is enclosed for this purpose.

Respectfully submitted,

Date: October 24, 2001


Name: Kathleen Williams
Registration No.: 34,380
Customer No.: 29933
Palmer & Dodge LLP
One Beacon Street
Boston, MA 02108
Tel: 617-573-0100

Express Mail Label Number: EL728734677US

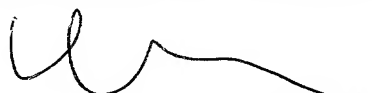
Date of Deposit: October 24, 2001

| | | | |
|--|-------------------------|---|-------------------|
| REQUEST AND CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(i) | First Named Inventor | | Stephen C. Edberg |
| | Title: | Detection of First Generation Environmentally Sourced Microbes in an Environmentally-Derived Sample | |
| | Attorney Docket Number: | | 14098/1013 |

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b)

October 24, 2001

Date



Signature

Kathleen M. Williams

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**